UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/50/178
28 February 1996

Fiftieth session
Agenda item 112 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.2)]

50/178. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, 3/ signed in Paris on 23 October 1991, including part III thereof, relating to human rights,

Taking note also of Commission on Human Rights resolution 1995/55 of 3 March 1995, 4/ and recalling General Assembly resolution 49/199 of 23 December 1994 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993, 5/ in which the Commission recommended the appointment of a special representative for Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

---

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See A/46/608-S/23177.

4/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

5/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Bearing in mind the role and responsibilities of the United Nations and the international community in the process of the rehabilitation and reconstruction of Cambodia,

Recognizing that the tragic recent history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Commending the continued operation in Cambodia of the office of the Centre for Human Rights of the Secretariat,

Welcoming the understanding reached between the Special Envoy of the Secretary-General and the Government of Cambodia in May 1995 regarding increased consultations between the Centre for Human Rights and the Government of Cambodia,

1. Requests the Secretary-General to assure the protection of the human rights of all people in Cambodia and to ensure adequate resources, from within existing United Nations resources, for the enhanced functioning of the operational presence in Cambodia of the Centre for Human Rights of the Secretariat;

2. Welcomes the report of the Secretary-General on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights; 6/

3. Welcomes also the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia;

4. Welcomes and encourages the efforts of individuals, non-governmental organizations, Governments and international organizations involved in human rights activities in Cambodia;

5. Takes note with appreciation of the most recent report submitted by the Special Representative of the Secretary-General on the situation of human rights in Cambodia, 7/ and endorses his recommendations and conclusions, including those aimed at ensuring the independence of the judiciary and the establishment of the rule of law, good governance, freedom of expression and the promotion of an effectively functioning multi-party democracy;

6. Notes that communal elections are due to be held in 1996 or early 1997 and National Assembly elections in 1998, and urges the Government of Cambodia to promote and uphold the effective functioning of multi-party democracy, including the right to form political parties, stand for election, take part freely in a representative government and to freedom of expression, in accordance with the principles set out in paragraphs 2 and 4 of annex 5 to the Agreement signed in Paris on 23 October 1991;

6/ A/50/681/Add.1.

7/ See A/50/681.

7. Requests the Special Representative, in collaboration with the office in Cambodia of the Centre for Human Rights, to continue his evaluation of the extent to which the recommendations made by the Special Representative in his report, 7/ and those contained in his previous reports, are followed up and implemented, and strongly encourages the Government of Cambodia to continue to cooperate with the Special Representative;

8. Requests the Secretary-General to provide all necessary resources, from within the regular budget of the United Nations, to enable the Special Representative to continue to fulfil his tasks expeditiously;

9. Welcomes the efforts made by the Government of Cambodia to promote and protect human rights, in particular in the essential area of creating a functioning system of justice, urges that efforts continue in this area, and also encourages the Government to improve the conditions of prisons;

10. Expresses grave concern about the atrocities that continue to be committed by the Khmer Rouge, including the taking and killing of hostages, and other deplorable incidents detailed in the reports of the Special Representative;

11. Also expresses grave concern about the serious violations of human rights as detailed by the Special Representative in his report, and calls upon the Government of Cambodia to prosecute in accordance with the due process of the law and international standards relating to human rights all those who have perpetrated human rights violations;

12. Expresses particularly grave concern at the comments made by the Special Representative concerning the reluctance of the courts to charge members of the military and other security forces for serious criminal offences, and encourages the Government of Cambodia to address this problem, which in effect places persons in authority above the principle of equality before the law;

13. Expresses grave concern at the devastating consequences and destabilizing effects of the indiscriminate use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, and welcomes the intention of the Government of Cambodia to ban all anti-personnel landmines;

14. Calls upon the Government of Cambodia to ensure the full observance of human rights for all persons within its jurisdiction in accordance with the International Covenants on Human Rights and other human rights instruments to which Cambodia is a party;

15. Encourages the Government of Cambodia to continue its efforts to meet its reporting obligations under international human rights instruments, drawing on the assistance of the office in Cambodia of the Centre for Human Rights;

16. Also encourages the Government of Cambodia to request the Centre for Human Rights to provide advice and technical assistance with respect to the creation of an independent national institution for the promotion and protection of human rights;

17. Further encourages the Government of Cambodia to maintain constructive dialogue and consultation with the Centre for Human Rights concerning its activities in Cambodia;

18. Commends the ongoing efforts of the office in Cambodia of the Centre for Human Rights in supporting and assisting the Government of Cambodia, as well as non-governmental organizations and others involved in the promotion and protection of human rights in cooperation with the Government of Cambodia;

19. Condemns unreservedly attacks on and threats against staff of the United Nations, non-governmental organizations and the Cambodian Government, as well as individuals, and calls upon the Government of Cambodia to investigate those attacks and threats and to prosecute those who are responsible, in accordance with the due process of the law and international standards relating to the administration of justice;

20. Notes with appreciation the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the Centre for Human Rights as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

21. Requests the Centre for Human Rights, in cooperation with the relevant specialized agencies and development programmes, to develop and implement programmes, with the consent and cooperation of the Government of Cambodia, in the priority areas identified by the Special Representative, paying particular attention to vulnerable groups, including women, children and minorities;

22. Requests the Secretary-General to report to the General Assembly at its fifty first session on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

23. Decides to continue its consideration of the situation of human rights in Cambodia at its fifty-first session.

99th plenary meeting
22 December 1995